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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,776	02/20/2004	Jeffrey C. Schlimmer	MS1-1853US	6672
22801 7590 07/10/2009 LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201				
EXAMINER				
PORTKA, GARY J				
ART UNIT		PAPER NUMBER		
2187				
MAIL DATE		DELIVERY MODE		
07/10/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/783,776

**Applicant(s)**

SCHLIMMER ET AL.

**Examiner**

GARY PORTKA

**Art Unit**

2187

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 17-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15 and 17-33 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-14 and 34-38 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/08)  
Paper No(s)/Mail Date 03/31/09.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1, 6-14, and 26-38 have been amended. Claims 1-15 and 17-38 are pending.

### ***Response to Arguments***

2. Applicant's arguments filed March 31, 2009 have been fully considered but they are moot in view of the new grounds of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 6-13, & 34-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Herrmann, US 2004/0167984 A1, herein "Herrmann".
5. As to claims 1, 9, and 34, Herrmann discloses a *method and computer program product for sending a policy from a host and receiving it at a client, which includes assertions for the client to comply with to access host resources* (credentials, 0035 lines 6-10, 0064, 0066-0068), *cached at the client* (0072), *determining the client is complying with at least one assertion, generating a policy digest at the client identifying it* (0073, where policy digest may be considered the list of security attributes indicating if client complies with the policy), *sending a message to the host including the policy digest and*

*extracting it, and denying access to the resource if the digest identifies an invalid policy* (see 0101 and 0118, where a client determines if it complies with a currently cached policy, and further it is determined whether the cached policy compares to the current security policy; which clearly involves denying access if the cached policy is invalid, at least until the policy can be updated to the current policy and meet compliance thereof).

6. As to claim 3, Herrmann further discloses generating the policy digest includes encoding a bit vector identifying selected assertions from the cached policy (since any data byte or word from the client to the host may be considered a bit vector to the extent claimed, and includes responses to the authentication challenge and thus identity of assertions as recited).

7. As to claims 6 and 7, Herrmann further discloses incrementing a counter each time the cached policy is used; and removing the cached policy from a cache at the client when the counter exceeds a limit value, which would also apply when a fault is received at the client in response to using the policy (0138, where a ticket, i.e., policy, becomes invalid after an expiration period, the time counted by a clock to the extent claimed, the invalidity of the policy, which may be considered a fault, requiring a removal and replacement of the policy at the client).

8. As to claim 8, Herrmann further discloses logging a diagnostic event when a fault is received at the client to identify a system problem (see 0138, where replacing an invalid policy may be considered logging the event as recited).

9. As to claim 10, Herrmann further discloses issuing a fault for the client if the policy digest identifies an invalid policy (since denial of access may be considered issuing a fault for the client).
10. As to claims 11, 12, 35, and 36, Herrmann further discloses decoding the policy digest or a bit vector of the policy (since the message sent must be decoded to be read and understood at the host).
11. As to claims 13 and 37, Herrmann further discloses reading an assertion from the policy digest (since any of the requirements of the authentication, i.e., the assertions, must be read to be satisfied in the client authentication).

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2, 5, 14, & 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrmann, and further in view of Atkinson et al., US 6,519,764, herein "Atkinson".
14. Herrmann does not expressly disclose generating or using a hash of the policy digest. However, Atkinson discloses a hash as claimed by applicant:
15. As to claim 2, Atkinson further discloses generating the policy digest includes generating a hash of the cached policy (col. 11, lines 17-23 & col. 28, lines 39-63).

16. Herrmann and Atkinson are analogous art because they are from similar problem solving areas: data object identification to distinguish appropriate resources. At the time of invention, it would have been obvious to a person of ordinary skill in the art to apply the hashing functions, taught by Atkinson, with the cache policy system taught by Herrmann. The suggestion/motivation for doing so would have been to bind source information to a meaningful moniker which encapsulates the referenced data, as disclosed by Atkinson in col. 9, lines 1-6. The benefit of such information binding is to reduce confusion between different policies or subsequent versions of similar policies.

17. As to claims 5, 14, and 38, Atkinson further discloses generating the policy digest includes generating a row hash of the cached policy if the cached policy is normalized, and reading a row hash of the cached policy (col. 11, lines 17-23 & col. 28, lines 39-63).

#### ***Allowable Subject Matter***

18. Claims 15 and 17-33 are allowed.

19. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure..

Patent No.

7,020,645 Stateless authentication using security context.

21. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary J. Portka whose telephone number is (571) 272-4211. The examiner can normally be reached on M-F 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on (571) 272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gary J Portka/  
Primary Examiner  
Art Unit 2187  
July 3, 2009